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c Pr3 City of Trenton Act, 1989

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CHAPTER Pr3

An Act respecting the City of Trenton

Assented to February 27th, 1989

Whereas The Corporation of the City of Trenton, herein called the Corporation, hereby applies for special legislation for the purposes set out herein; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The lands described in the Schedule shall, even though the title thereto was taken in the name of the Board rather than that of the Corporation, be deemed to have been acquired by the Board in compliance with the *Public Parks Act*.

Deeming provision

R.S.O. 1980, c. 417

2. The Corporation shall, within thirty days of the date that this Act comes into force, cause notice of this Act in a form acceptable to the Land Registrar to be registered on the title to the lands referred to in the Schedule in the Registry Office for the Registry Division of Hastings (No. 21).

Registration on title

3. This Act comes into force on the day it receives Royal Assent.

Commencement

4. The short title of this Act is the *City of Trenton Act*, 1989.

Short title

SCHEDULE

1. That parcel of land known as Fraser Park (also known as Governor Simcoe Park), described as the land and premises in the City of Trenton in the County of Hastings being composed of Lot 12 and part of lots 13, 14 and 15 on the southeasterly side of Albert Street in the Town of Trenton according to Evans and Bolger's registered plan of Trenton and may be better known and described as follows:

Commencing at the intersection of the northerly limit of Quinte Street with the southeasterly limit of Albert Street;

Thence north $14^{\circ} 41'$ east along the said southeasterly limit of Albert Street 229 feet and 9 inches, more or less, to the southwesterly limit of Albert Street produced southeasterly;

Thence south $45^{\circ} 35'$ east along the said production of Albert Street southeasterly 176 feet, more or less, to within 10 feet of the centre line of the Railway Track to the Cold Storage Dock;

Thence southwesterly parallel with the centre line of said Railway Track and always at the distance of 10 feet measured at right angles therefrom 68 feet, more or less, to the northerly limit of Quinte Street;

Thence south $71^{\circ} 26'$ west along the said northerly limit of Quinte Street 149 feet and 9 inches, more or less, to the place of beginning, containing by admeasurement $46/100$ of an acre, more or less.

2. That parcel of land known as Bayshore Park in the City of Trenton in the County of Hastings being water lot at the mouth of the River Trent, formerly in front of Lot 1 in Concession A and Lot 1 in the Township of Murray and more particularly described as follows:

That part of original water lot shown on drawing of November 24th, 1902 by John Evans, that lies north of the projection of the north line of Shuter Street, west of the original eastern boundary line, south of a line parallel to Quinte Street produced, southwest of Albert Street produced and east of the original high water line with the exception of the four lots indicated in the marked up print of the original drawing and described below.

The boundary lines of the property are described as follows:

Starting at the high water mark on the projection of the north line of Shuter Street, then along this line in an easterly direction 9 chains 60 links to the eastern boundary of the original lot, then north $5^{\circ} 30'$ east 6 chains 70 links, more or less, then in a westerly direction parallel to Quinte Street produced 4 chains 70 links, more or less, to Albert Street produced, then in a north westerly direction 3 chains 50 links along Albert Street produced to the high water line shown on the original drawing, then in a southerly direction along the high water line to the point of beginning.

The exceptions are as follows:

That part of the lot 200 feet by 100 feet, transferred to Barr Registers and now owned by Branch 110 Canadian Legion, that lies southeast of the original high water line.

That part of the lot 300 feet by 214.5 feet owned by Public Works Department, Ottawa, since October 6th, 1950, upon part of which has been erected a concrete revetment wall behind which earth and stone fill has been placed.

That part of the lot 200 feet by 214.5 feet owned by Public Works Department, Ottawa, since August 14th, 1952, upon part of which has been erected a concrete revetment wall behind which earth and stone fill has been placed.

That part of the lot 250 feet by 214.5 feet owned by Public Works Department, Ottawa, since July 7th, 1953, upon part of which has been erected a concrete wharf.

3. That parcel of land known as Hannah Park and more particularly described as follows:

- i. That parcel of land in the City of Trenton in the County of Hastings, formerly in the Township of Murray, in the County of Northumberland and partly in the Town of Trenton and the County of Hastings, containing by admeasurement an area of 20.13 acres, more or less, and being composed of part of the west half of Lot 3, Concession A in the said Township of Murray and part of Block F on the westerly side of Dufferin Avenue according to Evans and Bolger's plan of the Town of Trenton filed in the Registry Office for the Registry Division of the said County of Hastings as number 240.

Premising that the westerly limit of the said Dufferin Avenue is north 18° 34' west and relating all bearings herein thereto.

Commencing at an iron bar planted in the easterly limit of the said Block F being also the westerly limit of Dufferin Avenue, distant 974.15 feet measured southerly therealong from the northerly angle of Block F aforesaid;

Thence north 18° 34' west along the said easterly limit, 40.54 feet, more or less, to an iron bar planted in the line of an old fence marking the southerly limit of a plan filed in the said Registry Office as number 775;

Thence south 73° 48' west along the said line of fence and its westerly production, 662.82 feet, more or less, to the westerly limit of the said Block F;

Thence south 77° 23' 30" west 669.8 feet, more or less, to an iron bar in the westerly limit of Lot 3 aforesaid;

Thence south 17° 52' east along the last mentioned westerly limit 1,260.81 feet, more or less, to an iron bar planted in the northwesterly limit of the right of way lands of the Canadian National Railway Company (Deseronto Subdivision) being a line drawn parallel to the former centre line of the said right of way and distant 50 feet northwesterly therefrom measured at right angles thereto;

Thence north 48° 13', east along the said northwesterly limit 830.04 feet, more or less, to an iron bar planted therein distant 632 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F 118.06 feet, more or less, to an iron bar planted in a line drawn parallel to the centre line of right of way aforesaid and distant 158.50 feet northwesterly therefrom measured at right angles thereto;

Thence north 48° 13' east along the last mentioned parallel line 87.6 feet, more or less, to an iron bar therein distant 544.4 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F being along the westerly limit of the lands described in an Instrument filed in the said Registry Office for the County of Hastings as number 8998 a distance of 664.03 feet, more or less, to an iron bar planted at the northwest angle thereof;

Thence north 73° 51' east 500.55 feet, more or less, to the said point of commencement.

Excepting and reserving therefrom all mining rights, mines and minerals, whether solid, liquid or gaseous, already found or which may hereafter be found to exist in, upon or under the lands herein described, together with full power and right to enter upon and use or occupy the said lands or the surface thereof to such an extent as the Canadian National Realities, or its assigns may consider necessary for the effectual working of the said mining rights, mines and minerals.

Reserving unto the Canadian National Realities and Canadian National Railway Company, their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, the right in perpetuity, to maintain, renew and operate for Railway purposes, the trackage presently constructed upon and across the southeasterly portion of the said lands by agreement between the grantors and grantee, their successors or assigns, in, over, along and upon a portion of the said lands being a strip having a lateral width of 17 feet, being $8\frac{1}{2}$ feet on both sides of the centre line of the said trackage as presently located or as subsequently relocated as aforementioned.

And the grantee, for themselves, their successors and assigns, hereby covenant and agree with the grantors and Canadian National Railway Company their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, that neither the said lands nor any portion thereof shall at any time be used other than as a park or for recreational purposes, and that the grantee will obtain a covenant similar to this from the purchaser or lessee from them of the said lands or any portion thereof and enforce same in the event of any breach thereof.

- ii. That certain parcel of land in the City of Trenton in the County of Hastings, formerly located in the Township of Murray in the County of Northumberland and partly in the Town of Trenton in the County of Hastings, containing by admeasurement an area of 20.13 acres, more or less, and being composed of part of the west half of Lot 3, Concession A in the said Township of Murray and part of Block F on the westerly side of Dufferin Avenue according to Evans and Bolger's plan of the Town of Trenton filed in the Registry Office for the Registry Division of the said County of Hastings as number 240.

Premising that the westerly limit of the said Dufferin Avenue is north $18^{\circ} 34'$ west and relating all bearings herein thereto.

Commencing at an iron bar planted in the easterly limit of the said Block F being also the westerly limit of Dufferin Avenue, distant 974.15 feet measured southerly therealong from the northerly angle of Block F aforesaid;

Thence north $18^{\circ} 34'$ west along the said easterly limit, 40.54 feet, more or less, to an iron bar planted in the line of an old fence marking the southerly limit of a plan filed in the said Registry Office as number 775;

Thence south $73^{\circ} 48'$ west along the said line of fence and its westerly production, 662.82 feet, more or less, to the westerly limit of the said Block F;

Thence south $77^{\circ} 23' 30''$ west 669.8 feet, more or less, to an iron bar in the westerly limit of Lot 3;

Thence south $17^{\circ} 52'$ east along the last mentioned westerly limit, 1,260.81 feet, more or less, to an iron bar planted in the northwest-

erly limit of the right of way lands of the Canadian National Railway Company (Deseronto Subdivision) being a line drawn parallel to the former centre line of the said right of way and distant 50 feet north-westerly therefrom measured at right angles thereto;

Thence north 48° 13' east along the said northwesterly limit 830.04 feet, more or less, to an iron bar planted therein distant 632 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F 118.06 feet, more or less, to an iron bar planted in a line drawn parallel to the centre line of right of way aforesaid and distant 158.5 feet northwesterly therefrom measured at right angles thereto;

Thence north 48° 13' east along the last mentioned parallel line 87.6 feet, more or less, to an iron bar therein distant 544.4 feet measured southwesterly therealong from the easterly limit of Block F;

Thence north 18° 34' west and parallel to the said easterly limit of Block F being along the westerly limit of the lands described in an Instrument filed in the said Registry Office for the County of Hastings as number 8998 a distance of 664.03 feet, more or less, to an iron bar planted at the northwest angle thereof;

Thence north 73° 51' east 500.55 feet, more or less, to the said point of commencement.

Excepting and reserving therefrom all mining rights, mines and minerals, whether solid, liquid or gaseous, already found or which may hereafter be found to exist in, upon or under the lands herein described, together with full power and right to enter upon and use or occupy the said lands or the surface thereof to such an extent as the Canadian National Realities, or its assigns may consider necessary for the effectual working of the said mining rights, mines and minerals.

Reserving unto the Canadian National Realities and Canadian National Railway Company, their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, the right in perpetuity, to maintain, renew and operate for Railway purposes, the trackage presently constructed upon and across the southeasterly portion of the said lands, or that trackage as subsequently relocated upon and across the said lands by agreement between the grantors and grantee, their successors or assigns, in, over, along and upon a portion of the said lands being a strip having a lateral width of 17 feet, being 8½ feet on both sides of the centre line of the said trackage as presently located or as subsequently relocated as aforementioned.

And the grantee, for themselves, their successors and assigns, hereby covenant and agree with the grantors and Canadian National Railway Company their successors and assigns, the owner or owners, from time to time, of the Railway property located southerly of the said lands, that neither the said lands nor any portion thereof shall at any time be used other than as a park or for recreational purposes, and that the grantee will obtain a covenant similar to this from the purchaser or lessee from them of the said lands or any portion thereof and enforce same in the event of any breach thereof.

- iii. That certain parcel or tract of land and premises in the City of Trenton in the County of Hastings, formerly in the Town of Trenton in the County of Hastings, and in the Township of Murray in the County of Northumberland and being composed of part of Lot 4 in

Concession A of the Township of Murray which said parcel may be more particularly described as follows:

Premising that Dufferin Avenue as shown on Registered Plan No. 240 has a bearing of north $19^{\circ} 44'$ west and relating all bearings herein thereto.

Commencing at a point distant 377.67 feet measured north $22^{\circ} 07' 30''$ from a point distant 436.2 feet measured north $78^{\circ} 10'$ east from a point in the westerly limit of said Lot 4 distant 2761.26 feet measured southerly along the westerly limit of said Lot 4 from the north west angle thereof;

Thence north $22^{\circ} 97' 30''$ east, 238.9 feet;

Thence north $68^{\circ} 27' 30''$ east, 504 feet to the easterly limit of the said Lot 4;

Thence south $18^{\circ} 51'$ east along the easterly limit of said Lot 4 a distance of 670 feet;

Thence south $37^{\circ} 02'$ west, 797.3 feet to a point;

Thence north $18^{\circ} 51'$ west, 913.1 feet to the place of beginning.

The parcel described herein being shown outlined in red on a plan of survey dated October 22, 1970 by W.J. Pattison, O.L.S., and contains 12.995 acres, more or less.